

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

June 2, 2010

DIVISION ONE

B216885 Navarro, et al. (Not for Publication)
v.
Cruz

Because we find that Cruz is the prevailing party in this appeal, she is entitled to recover her fees and costs attributable to this appeal. Although we are reluctant to add to the burdens on the trial court and counsel in this case, we nevertheless find that we must reverse and remand the fee award so that in the course of its determination of the fees and costs to which Cruz is entitled for this appeal, the trial court may also determine whether, and the extent (if any) to which, the \$31,645.82 awarded as fees and costs for the trial court proceedings were not incurred in connection with or necessary to the anti-SLAPP motion. In all other respects the judgment is affirmed.

Chaney, J.

We concur: Mallano, P.J.
 Rothschild, J.

DIVISION TWO

B217472 Jones (Not for Publication)
v.
Newton

The order of the trial court is affirmed. Defendant is entitled to costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

June 2, 2010 (Continued)

DIVISION TWO (continued)

B214666 Sullivan (Not for Publication)
v.
Centex Homes, et al.

The judgment is affirmed. Centex is entitled to costs on appeal

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Chavez, J.

DIVISION THREE

B216128 Polanco (Not for Publication)
v.
Truck Insurance Exchange

The judgment is affirmed. Defendant is awarded costs on appeal.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

B208462 People (Not for Publication)
v.
Gunaro Rocha Roman

The judgment is affirmed.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

DIVISION FOUR

B211673 People
 v.
 McClellan

Filed order denying petition for rehearing.

DIVISION FIVE

Court convened at 2:15 p.m.

Present: Armstrong, Acting P.J., Kriegler, J., Ferns, J. (Assigned) and J. Belcher, Deputy Clerk.

B211466 Gabrielino-Tongva Tribe
 v.
 Santa Monica Development Co.

Merits:
Argued by Jonathan Sten for appellants and by David Greeley for respondent. Cause submitted.

Court adjourned.

DIVISION SIX

B218748 People
 v.
 Frank Berry aka Daniel Bell

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed 8/28/09) dismissed.

DIVISION EIGHT

B218432 People (Not for Publication)
v.
David Vasquez

Vasquez's sentence is ordered modified by striking the one-year term imposed for his prior felony with a prison term (Pen. Code, § 667.5, subd. (b)). The trial court is directed to prepare a corrected abstract of judgment and shall forward copies to the Department of Corrections and Rehabilitation. As modified, the judgment is affirmed.

Bigelow, P.J.

We concur: Flier, J.
Grimes, J.